IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 12TH APRIL, 2007 / 22ND CHAITHRA, 1929

WP(C).No. 12925 of 2007(L)

PETITIONER:

PRASANNA,
HARITHA BHAVANAM, KANDALLOOR PANCHAYATH,
KAYAMKULAM.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:

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1. EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

2. EXCISE INSPECTOR,
KAYAMKULAM RANGE.

3. SATHESH, S/O. KUMARAN KUNNEL VEETTIL,
DEVIKULANGARA MURI, DEVIKULANGARA VILLAGE,
KAYAMKULAM.

R1 & R2 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 12925 OF 2007 - L

Dated this the 12th day of April, 2007

J U D G M E N T

The petitioner complains that the third respondent has been harassing the petitioner and her family. According to her, the third respondent is a man with great clout in the office of the second respondent and as a result, he is able to get the second respondent to register false abkari cases against the petitioner's husband which has been done in two earlier instances. The animosity of the third respondent, according to the petitioner, is because the petitioner and her husband refused to rent out their house for conducting a toddy shop for which the third respondent got a licence. Now, according to the petitioner, the third respondent threatened her that not only her husband, but she would also be implicated in abkari cases and the grown up daughter of the petitioner would be thrown to the streets. The petitioner, in such circumstances, filed Ext.P2 petition

before the Minister for Excise. The petitioner submits that unless somebody makes an enquiry and takes appropriate steps to prevent this high handed action of respondents 2 and 3, the life of the petitioner's family would be in danger.

2. I have heard learned counsel for the petitioner and the learned Government Pleader appearing for respondents 1 and 2.

3. In the nature of the order I propose to pass, I do not find it necessary to issue notice to the third respondent. Although Ext.P2 is addressed to the Minister for Excise, I find that copy of the same has been forwarded to the Excise Commissioner also. I direct the Excise Commissioner to treat Ext.P2 as a petition filed before him and to cause necessary investigation into the complaints made by the petitioner in Ext.P2 and take appropriate action, if the same is found to be true. The first respondent shall do this as expeditiously as possible, at any rate, within a period of one month from the date

of receipt of a copy of this judgment.

The writ petition is disposed of with the above direction.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007